

Article - Estates and Trusts

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§13.5–302.

(a) (1) On issuance of a provisional order in another state to transfer a guardianship or conservatorship to this State under procedures similar to those in § 13.5–301 of this subtitle, the guardian or conservator shall petition the court in this State to accept the guardianship or conservatorship.

(2) The petition described in paragraph (1) of this subsection shall include a certified copy of the provisional order of the other state.

(b) (1) Notice of a petition under subsection (a) of this section to accept a guardianship or conservatorship from another state shall be given by the petitioner to those persons that would be entitled to notice if the petition were a petition for the appointment of a guardian or issuance of a protective order in both the transferring state and this State.

(2) The notice described in paragraph (1) of this subsection shall be given in the same manner as notice is given in this State.

(c) On the motion of the court or on request of the incapacitated person or protected person, or another interested person, a court shall hold a hearing on a petition filed in accordance with subsection (a) of this section to accept a guardianship or conservatorship from another state.

(d) The court shall issue a provisional order approving a petition filed under subsection (a) of this section unless an objection is made and the objector establishes that transfer of the proceeding would be contrary to the interests of the incapacitated person or protected person.

(e) In approving a petition under this section, the court shall recognize a guardianship or conservatorship order from the other state, including the determination of the incapacity of the incapacitated person or protected person and the appointment of the guardian or conservator, if the guardian or conservator is eligible to act in this State.

(f) The denial of a petition filed under subsection (a) of this section to accept a guardianship or conservatorship from another state does not affect the ability of a guardian or conservator appointed by a court in another state to seek appointment as guardian of the person or property of the disabled person under Title 13 of this article.

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